IN THE HIGH COURT OF JUDICATURE,
ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.22049 OF 1997

Dated: January 31, 2007

Between:

Bantu Ramulu, S/o. Dalaiah, aged 80 years, Hindu, Cultivation, residing at Singavaram, Kothagudem Gram Panchayat, Denduluru Mandal, West Godavari District.

... Petitioner

And

The District Collector, West Godavari District, Eluru, and others.

... Respondents

Order:

By this Writ Petition, petitioner seeks Mandamus to declare the action of the respondents in trying to dispossess him from his house bearing Assessment No.709, situated in an extent of 400 Sq. yards near 38/3-4 Mile at Godavari Eluru Canal, Singavaram, Kothagudem Gram Panchayat, Denduluru Mandal, West Godavari District, without issuing any notice, as illegal and arbitrary.

2. The case of the petitioner, claiming to be the absolute owner and possessor of the aforementioned house, is that the second respondent, Mandal Revenue Officer, Denduluru Mandal, directed him to demolish the house and vacate the premises without issuing any notice to him or without initiating appropriate proceedings in accordance with law. Challenging the said action of the second respondent, he has come with this Writ Petition.

3. This court, while admitting the Writ Petition, by order dated
12-09-1997, passed in W.P.M.P.No.26864 of 1997, not to dispossess the petitioner from the aforementioned house, pending further orders.

4. Though the Writ Petition is of the year 1997, no counter affidavit has been filed by the respondents till date and the interim order granted by this court has been continuing all along.

5. As much as it is the case of the petitioner that he has not been put on notice by the respondents before proposing to demolish the house constructed by him, I dispose of the Writ Petition directing the respondents not to take any steps for demolishing the house of the petitioner bearing Assessment No.709, situated in an extent of 400 Sq. yards near 38/3-4 Mile at Godavari Eluru Canal, Singavaram, Kothagudem Gram Panchayat, Denduluru Mandal, West Godavari District, unless the petitioner is put on notice and due process of law is followed. No costs.

JUSTICE R. SUBHASH REDDY.

January 31, 2007
MRR